## Confiscation of Magazines Publishing obscene materials

4578. SHRI V. HANUMANTHA RAO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whethtr it is a fact that the Maharashtra Government has sought powers to confiscate the periodicals and magazines publishing obscene materials; as reported in the 'Times of India' dated the 27th March, 1995;

(b) if so, whether Government propose to give such powers; and

(c) whether such types of cases had been brought to their notice from other States also; if so, the number of cases brought to their notice during the last three months and the action taken in regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT):(a) and (b) No Sir, the State Government is itself equiped with powers to confiscate objectionable and obsence literature, picture etc., under the provision of Section 95 of the Cr.P.C.

(c) Several Publications/magazines contaning objectionable and obscene material have come to the notice of State Governments and State Governments are taking action against such publication under Section 95 of Cr. P.C. which gives them power to confiscate obscene/objectionable literature.

## Direction of the Delhi High Court on Summoning Person to Police Stations

4579. SHRI O. P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the newsitem captioned "Bina notice Kisi ko thane main boolana sanvidhan ka ulanghan" appearing in the Dainik 'Jagran' of the 10th December, 1994;

(b) if so, the reaction of Government thereto:

(c) whether Government are aware that Delhi High Court had ruled sometime back that no person shall be called to police station by the Delhi Police, without first giving him reasons for doing that in writing;

(d) if so, whether the Court's direction is being followed by the Delhi Police, in letter and spirit;

(e) whether any violation thereof has come to Government's notice; and

(f) if so, the details thereof and the action taken against the guilty Police officials?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): (a) to (d) Yes, Sir. The High Court of Delhi, while disposing of criminal writ petition No. 848/94 had observed that police interrogation, if warranted, should take place where the person is found and that the police have no business to take any person to the police station without following the procedure laid down in Section 162 of the Criminal Procedure Code. Failure to observe this procedure is viewed seriously stern diciplinary action is initiated whenever instances of default come to notice.

(e) and (f) In the case mentioned above, the Court has expressed the hope that such lapses would not be repeated by the concerned SHO. In view of this, no action was taken against any police official in this case. The SHO has been duly counselled to exercise restrain & observe procedure, in future.

## Persons arrested with forged Passports and visa

4580. PROF. VIJAY KUMAR MALHOTRA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of persons arrested travelling on forged passports and visas in the country during the last three year, year-wise;

(b) the countries to which they belong;

(c) the action taken against such persons; and

(d) the steps taken to gear up the machinery to plug all loopholes to check entry of such persons?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): (a) to (d) According to information available, the following is the statement regarding the persons arrested for travelling on forged passports and their nationality.

| S.No. | Natioanlity | 1992 | 1993 | 1994 |
|---|---|---|---|---|
| 1 | Yeman | .. | 1 | .. |
| 2 | Somalia | 7 | . | 3 |
| 3 | Srilanka | 15 | 18 | 29 |
| 4 | U.K. | 2 | 2 | 1 |
| 5 | Nigeria | 4 | 3 | 1 |
| 6 | Canada | 1 | .. | 4 |
| 7 | Pakistan | 30 | 5 | .. |
| 8 | Afghanistan | 6 | 19 | 29 |
| 9 | Bangladesh | 38 | 8 | .. |
| 10 | South Africa | 1 | .. | .. |
| 11 | Italy | 1 | .. | .. |
| 12 | People's Republic of China | 14 | . | .. |
| 13 | Iran | 2 | 1 | 6 |
| 14 | Thailand | 1 | .. | .. |
| 15 | Saudi Arabia | 2 | . | .. |
| 16 | Switzerland | 1 | . | .. |
| 17 | Malta | 1 | .. | .. |
| 18 | Kuwait | .. | 1 | .. |
| 19 | Nepal | .. | 2 | .. |
| 20 | Poland | .. | 2 | .. |
| 21 | Iraq | | 1 | .. |
| 22 | Germany | .. | 1 | 3 |
| 23 | U.S.A. | .. | 1 | 2 |
| 24 | Sudan | | .. | 1 |
| 25 | Spain | . | .. | 1 |
| 26 | Kenya | . | .. | 1 |
| 27 | India | 500 | 410 | 419 |
| | Total | 626 | 475 | 500 |

Criminal cases have been registered against persons concerned according to provisions of law, apart from impounding of forged Indian passports.

In order to gear up the machinery and to plug looppholes, vigilance staff has been deputed to conduct random checking. Immigration staff is regularly briefed and alerted against such activities.

**Seizure of Arms and Ammunition from smugglers and terrorists**

4581. SHRI RAJ NATH SINGH: Will the Minister of HOME AFFAIRS be pleased to state :

(a) the amount of arms and ammunition seized by Government at various places from smugglers and terrorists, during the last three years;

(b) the market value of these arms at present; and

(c) the manner in which they are disposed of?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) A statement indicating the available information with regard to seizure of arms and ammunitions from smugglers/terrorists in various parts of the country is laid on the Table of the House as Annexure. (*See* Appendix 173, Annexure No 93)

(b) and (c) The market value of these weapons have not been assessed since the weapons recovered from the smugglers/terrorists become part of the case property in the Courts. Thereafter, these weapons are disposed of in accordance with the diections of the Court

**Vacancies in BSF**

4582. SHRI F. A. MOHAMMED SAQHY Will the Minister of HOME AFFAIRS be pleased to state:

(a) when was the last cadre review conducted in respect of Officers of the rank of Assistant Commandant and above in Border Security Force (BSF);

(b) what are the promotion channels at present in BSF *vis-a-vis* police and other para military forces.

(c) the number of posts of officers lying vacant in BSF, rank-wise;

(d) what are the reasons that the vacancies are not being filled up even when eligible officers in different ranks are available; and

(e) by when the posts are likely to be filled up on the basis of one time post from amongst the eligible officers in BSF?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PALIOT): (a) The last cadre review was held in 1990.

(b) Officers of BSF are governed under the provisions of BSF Act, and Rules. However, their promotional avenues are by and large same as in other Central Para Military Forces. The Central Para Military Forces are not comperable with the State Police.

(c) The rank-wise details of vacancies are as under:—

| | |
|---|---|
| (i) Assistant Commandant . | 376 |
| (ii) Deputy Commandant . | 339 |
| (iii) Second-in-Command . | 5 |
| (iv) Commandant . . . | 5 |
| (v) Dy. Inspector General | 4 |
| (vi) Inspector General . . | 2 |

(d) and (e). As regards the vacancy position of Assistant Commandants, 150 probationers are undergoing basic training and for filling of the remaining posts, selection process has been completed recently. The shortages in the post of Dy. Comdt. are, however, acute as sufficient number of eligible officers are not available for promotion. The vacancy position in the other grades is transitory.

**Unearthing of a racket in share certificates**

4583. SHRI S. S. AHLUWALIA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the report as published